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Montana Legislative Council

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Sources of Information and Publications

5th Edition

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PREFACE

The Montana Legislative Council provides information resources for legislators and other interested persons both during and after a legislative session. These resources are designed to help people locate legislation, committee testimony, and codified statutes and include the telephone directory, bill status reports from drafting to final vote, a subject index of proposed legislation, lists of code sections affected by passage of legislation, etc.

This brochure provides a brief introduction to the various sources of information published by the Montana Legislative Council.

During the legislative session, the Legislative Information Office is open in the Capitol to help people with questions. Legislative information is also available by phone at 1-900-225-1200, at a cost of \$.75 a minute. Several computer terminals in the Capitol provide access to the latest information on introduced bills.

For more information on any part of this brochure, contact the Montana Legislative Council, Room 138, State Capitol, Helena, Montana 59620-1706, phone 1-406-444-3064.

MONTANA LEGISLATIVE COUNCIL: ORGANIZATION, OVERVIEW, AND STAFF DIRECTORY

This brochure describes the history and functions of the Montana Legislative Council. It includes a listing of current Legislative Council personnel and an organizational chart and is available free through the Legislative Council while supplies last.

MONTANA LEGISLATIVE COUNCIL

Organization, Overview, and Staff Directory

November 1990



Published by
Montana Legislative Council
Room 138
State Capitol

Sample

RULES OF THE MONTANA LEGISLATURE

The Joint Rules, Senate Rules, House Rules, and an index to those rules are printed, along with the Montana Constitution and its index, in the Rules of the Montana Legislature. The U.S. Constitution is included. This booklet also gives a brief listing, with the corresponding rule number, of deadlines and time limitations for the session.

The booklet is published each legislative session and is available early in January for a nominal charge from the Distribution Center.

1

JOINT RULES

10-80

CHAPTER 10

Administration

10-10. Time of meeting. Each house may order its time of meeting.

10-20. Legislative day — duration. (1) If either house is in session on a given day, that day constitutes a legislative day.

(2) A legislative day for a house ends either 24 hours after that house convenes for the day or at the time the house convenes for the following legislative day, whichever is earlier.

10-30. Schedules. The presiding officer of each house shall coordinate its schedule to accommodate the workload of the other house.

10-40. Adjournment — recess — meeting place. A house may not, without the consent of the other, adjourn or recess for more than 3 days or to any place other than that in which the two houses are sitting (Montana Constitution, Art. V, Sec. 10(5)).

10-50. Access of press. Subject to the presiding officer's discretion on issues of decorum and order, an accredited press representative may not be prohibited from photographing, televising, or recording a legislative meeting or hearing.

10-60. Conflict of interest. A member who has a personal or private interest in any measure or bill proposed or pending before the Legislature shall disclose the fact to the house to which the member belongs.

10-70. Telephone calls. (1) Long distance telephone calls made by a member while the Legislature is in session or the member is in travel status are considered official legislative business. These include, but are not limited to, calls made to constituencies, places of business, and family members.

(2) Session staff, including aides and interns, may use telephones for long distance calls only if specifically authorized to do so by their legislative sponsor or supervisor. Sponsoring members and supervisors are accountable for use

Sample

CATALOG OF PUBLICATIONS AND INTERIM STUDY FINAL REPORTS

This leaflet contains a bibliography of all Legislative Council research study reports from 1957 to the present. It is supplemented by a list of reports from the current interim and is updated in March of each session year. The leaflet is free and is available through the Legislative Council.

CATALOG of PUBLICATIONS and INTERIM STUDY FINAL REPORTS 1957 - 1992



Published by
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(406) 444-3064

Sample

TELEPHONE DIRECTORY

The Telephone Directory is published each session and is a valuable, pocket-sized information source. It contains the names of Senate and House members, along with their political affiliation, district number, home address, Helena address, spouse's name, business occupation, and committee assignments. Also included in the directory are names of state officials and agencies; legislative committee meeting days, with times and places; seating charts; orders of business; and maps.

This directory is free and is available from the Legislative Information Office and the Legislative Council.

MEMBERS OF THE 1993 MONTANA LEGISLATURE

Senate District No. 1

Eleanor L. Vaughn (D)

Senate District No. 2

Robert "Bob" Brown (R)

Senate District No. 3

John "Ed" Kennedy, Jr. (D)

Senate District No. 4

John G. Harp (R)

Senate District No. 5

Delwyn Gage (R)

Senate District No. 6

Gary C. Aklestad (R)

Senate District No. 7

Bob Hockett (D)

Senate District No. 8

Greg Jergeson (D)

House District No. 1

Mary Lou Peterson (R)

House District No. 2

Scott J. Orr (R)

House District No. 3

Marjorie I. Fisher (R)

House District No. 4

William E. Boharski (R)

House District No. 5

Tim Dowell (D)

House District No. 6

Jack R. Herron (R)

House District No. 7

David E. Wanzenried (D)

House District No. 8

Douglas T. Wagner (R)

House District No. 9

Floyd "Bob" Gervais (D)

House District No. 10

Harriet Hayne (R)

House District No. 11

John "Sam" Rose (R)

House District No. 12

Gary Feland (R)

House District No. 13

Roger DeBruycker (R)

House District No. 14

Bob Bachini (D)

House District No. 15

Ray Peck (D)

House District No. 16

Francis Bardanouve (D)

Sample

A LEGISLATOR'S HANDBOOK

The publication A Legislator's Handbook provides an overview of the operations of the Legislature, legislative service agencies, and state government. Included are chapters on centralized services, legislative interns and aids, and lobbying and lobbyists. Procedures of standing committees, how a bill becomes law, the 12 orders of business, and fiscal note requirements are also reviewed.

Copies of this free publication are available from the Legislative Council while supplies last.

CHAPTER III

LEGISLATIVE PROCEDURES

AGENDA ITEMS

The business of each house is conducted in conformance with procedures established in the Joint Rules and the rules of each house. The rules provide for the order of business, motions, resolutions, drafting and introduction of bills, referral and reporting of bills, second and third readings, transmittal dates, and consent calendar.

ORDER OF BUSINESS

The agenda followed by each house during each business day is called the Order of Business. After the opening prayer, pledge of allegiance, roll call, and report on the journal, the Senate and House proceed through their business in this progression, although there may be nothing to discuss on any particular day under one or more of the Orders of Business.

The 12 Orders of Business in the Senate, with notes on differences in the House, are:

No. 1 - Communications and Petitions. Various types of communications may be read to the legislative body.

No motions are acceptable.

No. 2 - Reports of Standing Committees. Reports are read from the rostrum. Legislators do not receive an actual copy in the originating house, but amendments are printed in full in the daily journal. After a favorable vote, an amended version of the bill is printed.

Generally, no motion is acceptable except some privileged motions, such as to adjourn, for a roll call vote, for a call of the house, or for some other incidental motion; however, by established practice these motions are not generally made.

No debate is had unless a minority committee report has been submitted. A member seeking to challenge the action on the adoption of a favorable or an adverse committee report may do so on Order of Business No. 6 (Order of Business No. 9 in the House) by a motion to reconsider and need not have voted on the prevailing side.

Sample

BILL DRAFTING MANUAL

The Bill Drafting Manual sets forth uniform standards and instructions on bill drafting. It includes information on the mechanics, style, and technique of drafting bills, resolutions, amendments, and referendums. Sample bills and resolutions, plus a bill drafter checklist, are included.

This publication is free and is available from the Legislative Council.

Chapter 2

Style and Language

2-1. Introduction.

Bills should be written in a simple, clear, and direct style, phrased for the common reader as well as for the political or legal expert.

A poorly drafted, ambiguous bill will waste the time of citizens affected, confuse those charged with its administration, lead to litigation, and likely fail to accomplish the purpose of the requestor. Good drafting requires concise wording that is understandable by a person who has no special knowledge of the subject.

If wording in a bill has to be paraphrased to make it intelligible to the layman, it needs revising. In Montana, the common-law tradition has manifested itself in the timeworn, nonessential phrases and rhetorical flourishes found in our older legislative enactments. The suggestions contained in this chapter are designed to help the drafter avoid the most common faults in style and language evident in some of our present law.

As authority for basic rules of writing, the Legislative Council uses the latest edition of the *United States Government Printing Office Style Manual* and the *Gregg Reference Manual, Sixth Edition*, by William A. Sabin. Compounding of words is done according to the *Style Manual*.

Sample

BILL DRAFTING REQUEST REPORT

Bill drafting request forms are filed in the Legislative Council legal office. The requests are assigned an LC (Legislative Council) number, which becomes the identifying number throughout the drafting and input stages. Information from the bill draft request form is used to produce the Bill Drafting Request Report.

The report is printed in four parts: the Subject Report, the Requestor Report, the By Request of a Committee or Agency Report, and the Drafter Report. Entries in each of the four reports include the LC number, bill number, short title, requestor, sponsor, subject code, and drafter.

Copies of the Bill Drafting Request Report are available for use in the Legislative Council offices, the Legislative Council Library, and at the Distribution Center. The report may be purchased from the Distribution Center, with the price set according to the number of pages.

REPORT LC#REQ		MONTANA LEGISLATIVE COUNCIL		PAGE
SPONSOR IS LISTED IN PARENTHESES IF DIFFERENT FROM REQUESTOR;		1993 SESSION -- MONTANA LEGISLATURE BILL DRAFTING REQUEST RECORD BOOK REPORT		RUN TIME
• APPLIES TO REQUESTOR'S BILL LIMIT LC # BILL # SHORT TITLE REQUESTOR		(SPONSOR)	SUBJECT	RUN DATE
		REQUESTOR: ARLESTAD, G.		DRAFTER
40	SB0030 REQUIRE ASSESSMENT ON CCC GRAM TO BE COLLECTED AT TIME OF PURCHASE	ARLESTAD, G.	AGR	STERNBERG, DOUG
115	SB0038 REQUIRE TWO-THIRDS VOTE IN HOUSE OF ORIGINATION FOR REVENUE BILLS	ARLESTAD, G.	LEG TA	LANE, VALENCIA
116	SB0073 REVISE LAW ON REMOVAL OF CHILDREN FROM THE HOME IN CASES OF ABUSE OR NEGLECT	ARLESTAD, G.	PAN	LANE, VALENCIA
133	SB0181 ALLOW PERSONS 80 AND OVER TO OEPER INCREASES IN MARKET VALUE OF HOMESTEAD	ARLESTAD, G.	TXPR	MARTIN, JEFF
140	SB0142 CONSTITUTIONAL AMEND. TO SET UNIFORM TIME FOR GOVERNOR TO ACT ON LEGISLATION	ARLESTAD, G.	BAL LEG LAW	PETESCH, GREG
• 1488	SB0412 CLARIFY TAX EXEMPTION OF BENEFICIAL USE OF PROPERTY OF PORT AUTHORITY	ARLESTAD, G.	TXPR	MARTIN, JEFF
• 1513	SB0431 TAX LIQUEFIED GAS & COMPRESSED GAS AT PERCENTAGE OF GAS TAX	ARLESTAD, G.	TXPU	MARTIN, JEFF
• 1514	SB0428 PROVIDING THAT CERTAIN LOTTERY WINNINGS ARE SUBJECT TO STATE WITHHOLDING TAX	ARLESTAD, G.	TXIN GAMB	MARTIN, JEFF
• 1517	SB0433 INCOME REQUIREMENT FOR LAND TO BE CLASSIFIED AS AGRICULTURAL FOR TAX	ARLESTAD, G.	TXPR AGR	HEIMAN, LEE
		REQUESTOR: ANDERSON, S.		
220	HB0180 REVISE DEFINITION OF SPECIAL MOBILE EQUIPMENT	ANDERSON, S.	MTAV	LANE, VALENCIA
389	HB0132 ALLOW NONMONETARY LEASE OF FWP LAND IN EXCHANGE FOR SERVICES	ANDERSON, S.	PISH STA	STERNBERG, DOUG
381	HB0255 REVISE RELEASE OR DISCHARGE OF DEFENDANT WHO PLEO MENTAL DISEASE OR DEFECT	ANDERSON, S.	CRP MENT	LANE, VALENCIA
• 1321	ELIMINATE JUNK VEHICLE PROGRAM	ANDERSON, S.	APP STGO	PETESCH, GREG
• 1334	HB0448 REQUIRING A SEWAGE LAGOON TO BE SITED NOT LESS THAN 800FT FROM A WATER WELL	ANDERSON, S.	(ORR, S.)	(EOC) EVERTS, TODD
• 1338	APPLY JUSTICE & CITY COURT RULES TO TENANT POSSESSION & UNLAWFUL MOVOVER	ANDERSON, S.	LT CIV	STERNBERG, DOUG
• 1337	HB0811 REVISE LANDLORD-TENANT LAW	(WISEMAN, W.)	LT	U OF M LAW SCHOOL
• 1395	HOLD (REVISE WORK COMP)	ANDERSON, S.	WORK	CAMPBELL, BART

CODE SECTIONS AFFECTED

MCA Code Sections Affected by Bills & LCs

During the session, a report is generated (on approximately a weekly basis) that lists all code sections that may be repealed or amended. Bill drafters use this list to avoid conflicts, correct redundancies, and solve problems. The printout is available for use in the Legislative Council office or the Legislative Council Library and may be purchased from the Distribution Center.

SECTION ===== THRU SECTION =====		ACTION =====	BILL' NO	/VERS
0.7-2-112	-----	AMENDED	HB 0576	/01
0.7-2-116	-----	AMENDED	HB 0487	/02
0.7-3-104	-----	AMENDED	HB 0126	/01
0.7-3-104	-----	AMENDED	LC 0357	/01
0.7-3-105	-----	AMENDED	HB 0126	/01
0.7-3-105	-----	AMENDED	LC 0357	/01
0.7-3-107	-----	AMENDED	HB 0126	/01
0.7-3-107	-----	AMENDED	LC 0357	/01
0.7-4-108	-----	AMENDED	HB 0126	/01
0.7-4-108	-----	AMENDED	LC 0357	/01
0.7-5-101	-----	AMENDED	HB 0126	/01
0.7-5-101	-----	AMENDED	LC 0357	/01
0.7-5-102	-----	AMENDED	HB 0126	/01
0.7-5-103	-----	AMENDED	HB 0126	/01
0.7-5-103	-----	AMENDED	LC 0357	/01

Sample

Code Sections Affected List

After the session is completed, a Code Sections Affected List is generated that lists in code title order all code section numbers that were enacted, repealed, amended, or renumbered. This list is published as part of the Legislative Review and the Session Laws.

CODE SECTIONS AFFECTED

Title-Ch.-Sec.	Action	Chapter	Bill #
1-4-110	enacted	Ch. 379	SB 294
1-5-101	repealed	Ch. 192	SB 84
1-5-102	repealed	Ch. 192	SB 84
1-5-103	repealed	Ch. 192	SB 84
1-5-104	repealed	Ch. 192	SB 84
1-5-105	repealed	Ch. 192	SB 84
1-5-106	repealed	Ch. 192	SB 84
1-5-107	repealed	Ch. 192	SB 84
1-5-108	repealed	Ch. 192	SB 84
1-5-109	repealed	Ch. 192	SB 84
1-5-110	repealed	Ch. 192	SB 84
1-5-201	repealed	Ch. 192	SB 84
1-5-202	repealed	Ch. 192	SB 84
1-5-203	repealed	Ch. 192	SB 84
1-5-204	repealed	Ch. 192	SB 84
1-5-206	repealed	Ch. 192	SB 84
1-5-207	repealed	Ch. 192	SB 84
1-5-208	repealed	Ch. 192	SB 84
1-5-401	amended	Ch. 192	SB 84

Sample

BILLS

Each version of a bill, whether introduced, reported out of committee, passed by the chamber of origin, or approved by both chambers (plus all second-chamber amendments), is available for purchase through the Distribution Center. The price is set by the Legislative Council. The text of bills is also available electronically on the State of Montana Bulletin Board System.

The Legislative Council keeps one copy of each reading version on file in Room 138 of the Capitol. Other copies are distributed to the Legislative Information Office, state agencies, public libraries, and County Clerk and Recorder offices.

53rd Legislature		HB 0008/01	
1	HOUSE BILL NO. 8		1
2	INTRODUCED BY GILBERT		2
3	BY REQUEST OF THE REVENUE OVERSIGHT COMMITTEE		3
4			4
5	A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE TAXATION		5
6	OF INTERSTATE MOTOR VEHICLE FLEETS; EXEMPTING INTERSTATE		6
7	MOTOR VEHICLE FLEETS FROM STATE, COUNTY, AND LOCAL MILL		7
8	LEVIES; AMENDING SECTIONS 15-24-101 AND 15-24-102, MCA; AND		8
9	PROVIDING AN EFFECTIVE DATE."		9
10			10
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:		11
12	Section 1. Section 15-24-101, MCA, is amended to read:		12
13	"15-24-101. Assessment of proportionally registered		13
14	interstate motor vehicle fleets -- tax payment required for		14
15	registration. (1) The department of revenue shall assess,		15
16	for the purpose of personal property taxes, the taxable		16
17	vehicles in interstate motor vehicle fleets proportionally		17
18	registered under the provisions of 61-3-711 through		18
19	61-3-733, and the assessment must be apportioned on the		19
20	ratio of total miles traveled to in-state miles traveled		20
21	formula as prescribed by 61-3-721. Interstate motor vehicle		21
22	fleets are assessable for taxation purposes upon application		22
23	for proportional registration and are assessed to the		23
24	persons who own or claim <u>the fleet</u> or in whose possession or		24
25	control the fleet is at the time of the application.		25
Sample			

HOUSE AND SENATE AGENDAS

The Secretary of the Senate and the Chief Clerk of the House of Representatives prepare the daily agendas of bills to be debated in their respective Committee of the Whole. The agendas list the bill number, sponsor, short title, and which report is to be considered (second reading, third reading, conference committee amendments, Governor's amendments, etc.).

In addition, second and third reading information can be found online through the Bill Status Inquiry System. Checking the status of a specific bill will reveal whether or not that bill is scheduled for second or third reading.

The agendas are available at no cost from the Legislative Information Office, the Secretary of the Senate, or the Chief Clerk of the House. Bill status terminals are located in several areas of the Capitol for easy access.



MONTANA HOUSE OF REPRESENTATIVES

DEC. 4, 1993
LEGISLATIVE DAY 8
CONVENES 8:00 A.M.

ORDER OF BUSINESS # 7--SECOND READING

- | | | |
|---------------------|----------------|--------------------------------------|
| 1) HB 2 | ZOOK, TOM | REVISE GENERAL APPROPRIATIONS ACT AI |
| (In packet of 12/3) | | |
| 2) HB 22 | HANSON, SONNY | REDUCE SCHOOL BUDGETS BY 1.5%; REDU |
| (In packet of 12/3) | | |
| 3) HB 23 | BOHARSKI, BILL | REQUIRE VOTER APPROVAL FOR SCHOOL D |
| (In packet of 12/3) | | |
| 4) HB 33 | COBB, JOHN | REVISE MEDICAID MANAGED CARE; PERMI |
| | | |
| 5) HB 15 | LARSON, DON | REVISE MOTOR FUELS LAWS |
| (In packet of 12/3) | | |

Sample

VOTES

Votes of the Committees of the Whole are kept by the Secretary of the Senate and the Chief Clerk of the House of Representatives during the session. Copies of these votes are available for use at the Legislative Information Office.

After session, votes are transferred to the Secretary of State's office. Votes are published in the History and Final Status and electronically in the House and Senate Journals. Copies of the votes are available in Room 138 of the Capitol. Legislative Council policy does not allow staff to provide voting record information over the telephone or by correspondence.

Votes of standing committees are available from the Legislative Information Office or the committee secretaries during the session. After session, committee minutes and votes are transferred to the Montana Historical Society. Copies of the minutes are available in the Legislative Council Library, the State Law Library, and depository libraries throughout the state.

MONTANA SENATE
Fifty-Third Legislature
Regular Session

HOUSE BILL 3

2ND RDG - CONCUR AS AMD

YEAS: 26
NAYS: 22
NV : 1
EXC : 1

RCS# 1479
4/14/93
12:54 PM

YEAS: 26

Beck	Forrester	Jacobson	Toews
Brenden	Fritz	Jergeson	Towe
Brown	Grosfield	Keating	Vaughn
Bruski-Maus	Hager	Klampe	Waterman
Crippen	Harding	Pipinich	Weeding
Doherty	Harp	Rye	Yellowtail
Eck	Hertel		

NAYS: 22

Aklestad	Gage	McClernan	Swysgood
Bianchi	Halligan	Mesaros	Tveit
Burnett	Hockett	Rea	Weldon
Christiaens	Kennedy	Stang	Wilson
Devlin	Koehnke	Swift	Van Valkenbu
Franklin	Lynch		

PAIRED:

Sample

SUBJECT INDEX

As bills are introduced, a Subject Index is compiled and printed. This index, which is updated daily, lists all introduced bills under standard subject headings. Using this tool, a bill number can be easily located when only the subject of the bill is known.

The Subject Index is available for use in all Legislative Council offices. It can also be purchased at the Distribution Center. The price is set according to the number of pages.

SUBJECT INDEX

A

ABORTION

Right to know provision, clarification, SB 202

ABUSE

Children, See CHILD ABUSE AND NEGLECT

Developmentally disabled persons, See DEVELOPMENTALLY DISABLED PERSONS

Domestic abuse, temporary restraining order laws and criminal laws expanded, SB 406

Elderly persons, SB 408, HB 521

Sexual abuse of children, scope of crime expanded, HB 562

ACCOUNTANTS

License examination standards revised, HB 371

Privileged communications requirements, exceptions, HB 178

School districts, accounting procedures — revisions generally, HB 202

ACUPUNCTURE AND ACUPUNCTURISTS

Medicine and osteopathy, licensed for — practicing acupuncture allowed when, SB 266

ADMINISTRATION, DEPARTMENT OF

Appropriations, HB 2, HB 3, HB 4, HB 5, HB 11, HB 16, HB 504, HB 537

Data processing responsibilities, revision, HB 99

Director, appointment, SR 2

Electronic bulletin board system, permanence and expansion, HB 520

Mail equipment in capitol area, purchase — approval, HB 60

Paper used in publication of state documents, request for rules relating to type of paper, SJR 8

Payroll functions transferred from state auditor, HB 153

Retirement systems, hiring administrative or technical employees — duty transferred to public employees retirement board, SB 204

State construction project provisions, revision generally, HB 674

Tax revenue, recording to be prescribed by, HB 641

ADMINISTRATIVE PROCEDURE

State land leases on school trust lands — compliance required for setting rates and fee by land commissioners, board of, SB 424

Workers' compensation

classification and rating committee, membership change, HB 587

state fund, exemption, HB 13

ADMINISTRATIVE RULES

Medicaid inpatient psychiatric hospital services, restrictions defining eligible providers — rule 46.12.590 amended, SB 414

Negotiated Rulemaking Act, HB 317

Sample

ELECTRONICALLY AVAILABLE INFORMATION

Much of the information regarding session activities is also available electronically. The Bill Status Inquiry System and Internal Reference List are described in the following pages. Bill text is available electronically on the State of Montana Bulletin Board System and on other computer bulletin boards. After session, the Montana Code Annotated is published on a compact disk as well as in soft-bound books.

Bill Status Inquiry System

During the regular legislative session, the status of legislation is available through the computerized Bill Status Inquiry System. Information on the system includes bill status data, standing committee hearing schedules (for either a specific committee or for a specific date), primary sponsor bill lists, and a subject list of bill draft requests and introduced bills.

STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM MAIN SELECTION SCREEN

- 1- BILL STATUS OR BILL DRAFT STATUS
- 2- HOUSE MEMBER BILL SPONSOR LIST
- 3- SENATE MEMBER BILL SPONSOR LIST
- 4- COMMITTEE HEARING SCHEDULE FOR A SPECIFIC COMMITTEE
- 5- HOUSE COMMITTEE HEARING SCHEDULES FOR TODAY, OR FOR SOME FUTUR
- 6- SENATE COMMITTEE HEARING SCHEDULES FOR TODAY, OR FOR SOME FUTU
- 7- BILL DRAFT REQUESTS/INTRODUCED BILLS BY SUBJECT
- 8- SYSTEM INFORMATION

TO EXIT SYSTEM, TYPE "OFF" IN OPTION NUMBER FIELD AND PRESS EN

TYPE IN OPTION NUMBER HERE ==> AND PRESS THE ENTER

OPTIONAL: IF OPTION 1 SELECTED, TYPE BILL OR LC NUMBER HERE ==>
OPTIONAL: IF OPTION 7 SELECTED, YOU MAY TYPE IN THE FIRST FEW
LETTERS OF THE SUBJECT HERE ==> _____

MAIN SELECTION SCREEN

Bill status data includes the bill number, sponsor, short title, and complete record of actions on the bill or resolution.

STATE OF MONTANA--BILL STATUS INQUIRY SYSTEMIMLCP009

BILL NO: SB 4BILL FULL STATUS SCREENLC NO: LC 762

MAKE MANDATORY THE USE OF SEAT BELTS IN AUTOMOBILES

SPONSORS: MILLARD, JET AL.

BY REQUEST OF:

* DATE ***** ACTION TAKEN ***** AYE NO ***** COMMITTEE *****

02/05 (S) INTRODUCED

02/05 (S) REFERRED(S) HIGHWAYS & TRANSPORT

02/08 (S) HEARING(S) HIGHWAYS & TRANSPORT

ROOM 4101:00-3:00 P.M.

02/08 (S) COM RPT-BILL PASSED

02/10 (S) SCHEDULED FOR 2ND READING

02/10 (S) 2ND READING PASSED58 42

* MORE ACTIVITIES FOR THIS BILL. USE PAGE COMMAND TO SEE MORE *

TO DISPLAY THE STATUS OF ANOTHER BILL, TYPE BILL HERE=> & ENTER.

PF7 KEY - PAGE BACKWARD ON SCREEN (OR TYPE 'B' IN BOX & ENTER)

PF8 KEY - PAGE FORWARD ON SCREEN (OR TYPE 'F' IN BOX & ENTER)*****

PF1 KEY - MAIN SELECTION SCREEN (OR TYPE 'M' IN BOX & ENTER)*=>

PF2 KEY - BILL STATUS SELECTION SCREEN (OR TYPE '2' IN BOX & ENTER)*****

BILL STATUS SCREEN

Sample

The sponsor list is the list of all bills primarily sponsored by each legislator.

STATE OF MONTANA--BILL STATUS INQUIRY SYSTEMIMLCP004

SENATE SPONSOR ALPHABETICAL SELECTION SCREEN

INSTRUCTIONS: FIND THE SENATOR WHOSE BILLS YOU WISH TO DISPLAY. ENTER

THE SENATOR'S TWO-DIGIT CODE HERE => AND PRESS THE ENTER KEY.

01 AKLESTAD, G14 FARRELL, B26 JERGESON, G38 RYE, D

02 ANDERSON JR., J15 FRANKLIN, E27 KEATING, T39 STIMATZ, L

03 BECK, T16 FRITZ, H28 KENNEDY JR., E40 SVRCEK, P

04 BENGTON, B17 GAGE, D29 KOEHNKE, F42 SWIFT, B

05 BIANCHI, D18 GROSFIELD, L30 LYNCH, J42 THAYER, G

06 BLAYLOCK, C19 HAGER, T31 MANNING, D43 TOWE, T

07 BROWN, B20 HALLIGAN, M32 MAZUREK, J44 TVEIT, L

08 BRUSKI, B21 HAMMOND, S33 NATHE, D45 VAN VALKENBURG, F

09 BURNETT, J22 HARDING, E34 NOBLE, J46 VAUGHN, E

10 CRIPPEN, B23 HARP, J35 PINSONEAULT, D47 WATERMAN, M

11 DEVLIN, G24 HOCKETT, B36 PIPINICH, B48 WEEDING, C

12 DOHERTY, S25 JACOBSON, J37 REA, J49 WILLIAMS, B

13 ECK, D50 YELLOWTAIL JR., B

ENTER KEY - DISPLAY BILLS FOR MEMBER WHOSE CODE IS ENTERED ABOVE*=>

PF1 KEY - MAIN SELECTION SCREEN (OR TYPE 'M' IN BOX & ENTER)*****

SENATE SPONSOR SELECTION SCREEN

Sample

Each standing committee's hearing schedule is available on the computer system. The hearing date, time, place, and bills scheduled for consideration by the committee are included.

```

                STATE OF MONTANA-BILL STATUS INQUIRY SYSTEM                IMLCP011
                COMMITTEE HEARING SCHEDULE FOR (S) PUBLIC HEALTH, W & S
CHAIRMAN- JACOBSON, JUDY                SECRETARY- GRAVELY, ELAINE
***** NORMAL COMMITTEE HEARING SCHEDULE INFORMATION *****
SITE- ROOM 410                DAYS- M-W-F.                TIME- 1:00-3:00P.M.

* DATE * BILL NO *** SPONSOR ***** ADDITIONAL SCHEDULE INFO/SHORT TITLE **
02/08  SB 326  RICHARDS, J
      REVERSE SENTENCES FOR POSSESSION OF DANGEROUS DRUGS
02/08  HB 67   ARMSTRONG, R
      INCREASE LEGAL AGE LIMIT FOR ALCOHOLIC CONSUMPTION TO AGE 20
02/08  SB 290  JENKINS, C
      REPEAL SECTION RELATING TO CRIMINAL PENALTIES FOR ACCIDENTAL AIR POLLUTION

* LAST PAGE OF LIST ** NO MORE HEARINGS SCHEDULED FOR THIS COMMITTEE *
*****
PF7 KEY - PAGE BACKWARD ON SCREEN      (OR TYPE 'B' IN BOX & ENTER)
PF8 KEY - PAGE FORWARD ON SCREEN      (OR TYPE 'F' IN BOX & ENTER)
PF1 KEY - MAIN SELECTION SCREEN        (OR TYPE 'M' IN BOX & ENTER)  *=>
PF2 KEY - COMMITTEE SELECTION SCREEN  (OR TYPE '2' IN BOX & ENTER)  *****
```

COMMITTEE HEARING SCHEDULE SCREEN

Sample

Information on all the hearings scheduled in the committees of a particular chamber (House or Senate) on a particular day is also available.

```

                STATE OF MONTANA--BILL STATUS INQUIRY SYSTEM                IMLCP006
DATE: 01/11    DAILY HEARING SCHEDULE (ALPHABETICAL BY COMMITTEE)
** COMMITTEE ***** BILL NO **** TENTATIVE SCHEDULE *****
(S) BUSINESS & INDUSTRY  SB 6    ROOM 410    10:00 A.M.-12 NOON
      REVISION OF CHAPTERS 8 AND 9 OF THE U.C.C.
(S) BUSINESS & INDUSTRY  SB 39   ROOM 410    10:00 A.M.-12 NOON
      SECURED PARTY/LICENSEE OWNERSHIP IN OTHER ALL-BEVERAGES LICENSE
(S) BUSINESS & INDUSTRY  SB 40   ROOM 410    10:00 A.M.-12 NOON
      RELATING TO THE RESALE OR DESTRUCTION OF SEIZED ALCOHOLIC BEVERAGES
(S) JUDICIARY           SB 30   OLD SUPREME COURT 10:00 A.M.-12 NOON
      WARNING TO DRIVER WHO GETS 15 POINTS TOWARD HABITUAL TRAFFIC OFFENDER STATUS
(S) JUDICIARY           SB 56   OLD SUPREME COURT 10:00 A.M.-12 NOON
      ESTABLISH ASSUMPTION OF THE RISK AS ABSOLUTE DEFENSE IN CIVIL ACTIONS
(S) TAXATION            SB 32   ROOM 413/415  8:00-10:00 A.M.
      EXEMPT PRODUCER-HELD GRAIN IN STORAGE FROM PROPERTY TAXATION
(S) TAXATION            SB 21   ROOM 413/415  8:00-10:00 A.M.
      CREATING A COAL RESEARCH AND DEVELOPMENT ACCOUNT FROM COAL SEVERANCE TAX
      ** MORE HEARINGS FOR THIS DATE ** PAGE FORWARD TO SEE MORE **
*****
TO LIST HEARINGS FOR ANOTHER DATE, TYPE MONTH => ___ AND DAY => ___ AND ENTER.
*****
PF7 KEY - PAGE BACKWARD ON SCREEN      (OR TYPE 'B' IN BOX AND ENTER)
PF8 KEY - PAGE FORWARD ON SCREEN      (OR TYPE 'F' IN BOX AND ENTER)  *=>
PF1 KEY - MAIN SELECTION SCREEN        (OR TYPE 'M' IN BOX AND ENTER)  *****
```

DAILY HEARING SCHEDULE SCREEN

Sample

Bill draft requests and introduced bills can be identified through the Subject Selection Screen. All bill draft requests are assigned to specific subject categories. A list of these categories is found online. By accessing these categories, all bill draft requests or bills on a particular topic can be located.

STATE OF MONTANA--BILL STATUS INQUIRY SYSTEMIMLCP013

SUBJECT SELECTION SCREEN

INSTRUCTIONS: FIRST, SELECT THE DESIRED SUBJECT BY POSITIONING THE CURSOR ON THE LINE TO THE LEFT OF THE SUBJECT AND TYPING 'S'. (IF THE DESIRED SUBJECT IS NOT LISTED BELOW, TYPE IN THE FIRST LETTER(S) OF THE SUBJECT ON THE SUBJECT FINDER LINE HERE==> AND PRESS THE ENTER KEY). ONCE YOU HAVE SELECTED A SUBJECT, YOU MAY DISPLAY:

1) INTRODUCED BILLS FOR THE SUBJECT BY PRESSING THE ENTER KEY, OR

2) UNINTRODUCED REQUESTS FOR THE SUBJECT BY PRESSING THE PF3 KEY.

- AGRICULTURE, SEE ALSO: LIVESTOCK

- ALCOHOLIC BEVERAGES

- ANTIQUITIES, SAME AS: ARTS AND ANTIQUITIES

- APPROPRIATIONS, SEE ALSO: STATE FINANCE

- ARTS AND ANTIQUITIES

- ASSOCIATIONS, SAME AS: CORPORATIONS/PARTNERSHIPS/ASSOCIATIONS

- BALLOT ISSUES, SEE ALSO: ELECTIONS

ENTER KEY - DISPLAY INTRODUCED BILLS LIST

PF3 KEY - DISPLAY DRAFT REQUESTS (OR TYPE '3' IN BOX & ENTER)

PF7 KEY - PAGE BACKWARD ON SCREEN (OR TYPE 'B' IN BOX & ENTER)*****

PF8 KEY - PAGE FORWARD ON SCREEN (OR TYPE 'F' IN BOX & ENTER)"=>

PF1 KEY - MAIN SELECTION SCREEN (OR TYPE 'M' IN BOX & ENTER)*****

SUBJECT SELECTION SCREEN

Sample

During the regular legislative session, access to the Bill Status Inquiry System is available to the public through a computer link with the state's computer. Contact the Department of Administration's Information Services Division for access information and equipment requirements.

Paper copies of two reports produced from the Bill Status Inquiry System are available for purchase from the Distribution Center. The daily hearing schedules and the daily bill status report are available by subscribing to the legislative proceedings or by direct purchase. The price is set according to the number of pages.

GOOD MORNING! TODAY IS 04/22/93

THE 89TH LEGISLATIVE DAY

* NUMBER OF SENATE BILLS INTRODUCED-----	438	*
* NUMBER OF HOUSE BILLS IN SENATE-----	48	*
* NUMBER OF SENATE JOINT RESOLUTIONS INTRODUCED-----	34	*
* NUMBER OF HOUSE JOINT RESOLUTIONS IN SENATE-----	5	*
* NUMBER OF SENATE RESOLUTIONS INTRODUCED-----	13	*

* NUMBER OF SENATE BILLS TRANSMITTED TO HOUSE-----	307	*
* NUMBER OF HOUSE BILLS TRANSMITTED TO SENATE-----	456	*
* NUMBER OF SENATE BILLS REJECTED/TABLED/POSTPONED INDEF.--	189	*

Sample

Internal Reference List

The Internal Reference List shows all Montana Code Annotated sections that refer to other MCA sections. This list is used in bill drafting and provides the drafter with a quick source for finding all references to a certain section of the code in the event that such a section is to be repealed or amended.

This list is available on disk for a small fee from the Legislative Council or online through the State of Montana Bulletin Board System. Contact the Department of Administration's Information Services Division at 1-406-444-2824 for further information.

with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriative authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates death of last recipient eligible for supplemental benefits pursuant to sec. 15, Ch. 534, L. 1993, the inclusion of 19-6-709 terminates July 1, 1995.)"

{ Internal References to 17-7-502:

10-3-203	10-3-312	10-3-312	10-3-312
10-3-314	15-1-111	15-23-706	15-25-123
15-31-702	15-36-112	15-37-117	15-38-202
15-38-202	15-65-121	16-1-404	16-1-404
16-1-404	16-1-410	16-1-410	16-1-411
16-1-411	16-1-411	16-1-411	17-3-106
17-3-212	17-5-404	17-5-704	17-5-804
17-6-101	17-6-201	17-6-409	17-7-304
17-7-501	18-11-112	19-2-502	19-6-709
19-9-1007	19-15-101	19-17-301	19-18-512
19-18-513	19-18-606	19-19-205	19-19-305
19-19-506	2-9-202	2-17-105	2-17-105
2-18-812	20-4-109	20-6-406	20-8-111
20-9-361	20-26-1403	20-26-1503	23-2-823
23-5-136	23-5-306	23-5-409	23-5-610
23-5-612	23-5-631	23-7-301	23-7-402
23-7-402	23-7-402	27-12-206	3-5-901
3-5-901	32-1-537	37-43-204	37-51-501
39-71-2321	39-71-2504	39-71-503	39-71-907
44-12-206	44-13-102	5-13-403	50-5-232
50-40-206	53-6-150	53-24-206	60-2-220
61-2-107	67-3-205	75-1-1101	75-5-1108
75-5-507	75-10-621	75-11-313	76-12-123
77-1-808	80-2-103	80-2-222	80-4-416
80-11-310	81-5-111	82-11-136	82-11-161
85-1-220	85-1-220	85-2-707	90-3-301
90-4-215	90-6-331	90-7-220	90-9-306

Sample

HISTORY AND FINAL STATUS OF BILLS AND RESOLUTIONS

After session, the History and Final Status of Bills and Resolutions is published. This volume combines the bill status data from the Bill Status Inquiry System with the sponsor list, the index of introduced bills, and an effective date table. A supplement contains corrected voting records for bills and resolutions.

Copies are available to subscribers of the legislative proceedings free of charge. Nonsubscribers can purchase copies from the Legislative Council.

HB 126	1993 HISTORY AND FINAL STATUS	260
HB 126	INTRODUCED BY KADAS, ET AL. CONSTITUTIONAL AMENDMENT TO CREATE 80-100 MEMBER UNICAMERAL LEGISLATURE	
1/08	INTRODUCED	
1/08	REFERRED TO JUDICIARY	
1/08	FIRST READING	
1/11	FISCAL NOTE REQUESTED	
1/11	REREFERRED TO STATE ADMINISTRATION	
1/16	FISCAL NOTE RECEIVED	
1/18	FISCAL NOTE PRINTED	
2/04	HEARING	
2/10	COMMITTEE REPORT—BILL PASSED	
2/13	2ND READING DO PASS MOTION FAILED	39 60
HB 127	INTRODUCED BY PECK, ET AL. ALLOW HEARSAY IN TROUBLED CHILD TEMPORARY INVESTIGATIVE HEARING	
1/08	INTRODUCED	
1/08	REFERRED TO JUDICIARY	
1/08	FIRST READING	
1/14	HEARING	
1/20	HEARING	
1/22	COMMITTEE REPORT—BILL PASSED AS AMENDED	
1/25	2ND READING PASSED	94 3
1/27	3RD READING PASSED	94 5
	TRANSMITTED TO SENATE	
1/29	FIRST READING	
1/29	REFERRED TO JUDICIARY	
2/12	HEARING	
3/03	COMMITTEE REPORT—BILL CONCURRED	
3/04	2ND READING CONCURRED	49 0
3/05	3RD READING CONCURRED	44 4
	RETURNED TO HOUSE	
3/12	SIGNED BY SPEAKER	
3/12	SIGNED BY PRESIDENT	
3/15	TRANSMITTED TO GOVERNOR	
3/18	SIGNED BY GOVERNOR	
	CHAPTER NUMBER 112	
	EFFECTIVE DATE: 10/01/93	
HB 128	INTRODUCED BY D. BROWN, ET AL. PROVIDE FOR NOTICE AND PUBLIC MEETINGS AS PART OF COUNTY DUI PREVENTION PROGRAM	
1/08	INTRODUCED	
1/08	REFERRED TO JUDICIARY	
1/08	FIRST READING	
1/08	FISCAL NOTE REQUESTED	
1/14	HEARING	
1/14	FISCAL NOTE RECEIVED	
1/14	FISCAL NOTE PRINTED	
1/26	COMMITTEE REPORT—BILL PASSED AS AMENDED	
1/28	2ND READING PASSED	81 19
1/30	3RD READING PASSED	88 7
Sample		

HOUSE AND SENATE JOURNALS

The House and Senate Journals provide a record of all actions taken on introduced bills and resolutions. The journals are printed daily during the session, and they set forth the text of communications between houses, committee reports, transmittal correspondence to and from the executive, and votes on motions, amendments, and bills. The journals are not verbatim and do not contain a transcript of debate in the Committees of the Whole. Daily journals can be purchased from the Distribution Center.

After session, the daily journals are published electronically on CD-ROM by the Legislative Council. The electronic version contains search software that allows the user to search the journals in a wide variety of ways.

The daily journals are furnished free of charge to each County Clerk and Recorder, the State Library, and the State Law Library. Subscriptions to the journals are available through the Distribution Center.

SENATE JOURNAL

of the

Fifty-Third Legislature

OFFICE OF THE SECRETARY OF THE SENATE

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 8, 1993

Senate Chambers
State Capitol

Senate convened at 11:00 a.m. President Van Valkenburg presiding. Invocation by Reverend Thomas Banks. Pledge of Allegiance to the Flag.

Roll call. All members present, except Senators Hager and Koehnke, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Vaughn, Chair):

2/5/93

HJR 5, introduced bill, be amended as follows:

1. Page 1, line 25.

Following line 24

Insert: "WHEREAS, the Legislature recognizes the concerns of Native Americans and is committed to their expanded involvement in the political process; and

WHEREAS, the Legislature recognizes the Districting and Apportionment Commission's effort to enhance and maintain Native American majority districts by adopting five house districts and a senate district in which Native Americans constitute a majority of the district population; and"

2. Page 2, line 9.

Following "Legislature."

Insert: "The Legislature recommends that the Commission consider the amendments:

Sample

people from House District 13 to House District 17. The reason for this amendment is to place people with a community of interest in the same district. (Exhibit #11)

All of the above amendments to the plan maintain a plus or minus 5% deviation which is one of the mandatory criteria adopted by the Commission.

And, as amended, do pass. Report adopted unanimously.

MOTIONS

HJR 5 - Senator Jergeson moved that HJR 5 be printed and placed on second reading this legislative day. Motion carried unanimously.

Majority Leader Jergeson moved that the Senate recess and proceed to the House of Representatives for the purpose of receiving the State of the Law address. He further moved that upon adjournment of the joint session, the Senate reconvene at 3:00 p.m. this legislative day. Motion carried unanimously.

Senate recessed at 11:05 a.m.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Meadors escorted the Senate into the House Chamber.

Speaker Mercer introduced President Van Valkenburg and yielded the Chair to him.

Majority Leader Jergeson moved that the body resolve itself into a joint session for the purpose of receiving the State of the Law address from the Honorable Chief Justice of the Supreme Court of the State of Montana. Motion carried unanimously.

Reverend Thomas Banks gave the invocation, followed by the Pledge of Allegiance to the Flag.

Majority Leader Jergeson moved that the President appoint an escort committee of four to notify the Honorable Chief Justice and Justices of the Supreme Court of the State of Montana that the Senate and House of Representatives are in joint session and ready to receive the State of the Law address. Motion carried unanimously.

The President appointed Senators Bartlett and Grosfield and Representatives Bird and Jim Rice and discharged them to escort the Honorable Chief Justice and Justices to the House Chamber.

The Honorable Justices were escorted to their seats and the Honorable Chief Justice was escorted to the rostrum by the escort committee.

The President presented the Honorable Jean A. Turnage, Chief Justice of the Supreme Court of the State of Montana, the Honorable Karla M. Gray, Justice, the Honorable Fred J. Weber, Justice, the Honorable John C. Harrison, Justice, the Honorable R. C. McDonough, Justice, the Honorable William E. Hunt, Sr., Justice, and the Honorable Terry Tneweder, Justice, to both houses.

The Honorable Chief Justice delivered the following address:

President Van Valkenburg, Speaker Mercer, leaders of the Democratic and Republican parties of the House and Senate, members and staff of the 53rd Legislature, distinguished guests, ladies and gentlemen.

Thank you very much for this privilege to address the 53rd Legislature. I know that these are trying and difficult times in Montana and that you have much hard work ahead of you. I will be brief.

I would like to take this time to highlight some of the Judiciary's workload, its accomplishments and its concerns.

For almost two decades the caseload of the Montana Supreme Court has been extraordinarily high. 1992 was no exception. The Court received 627 appeals, wrote 356 formal Opinions, and considered numerous other informal petitions and matters affecting the Judiciary.

Sample

LEGISLATIVE REVIEW

The first report published following the completion of a regular session is the Legislative Review. This publication provides a summary of all bills that will become law. The summary of provisions is organized by chapter number, with bill number, chief sponsor, and the title of the bill included.

Appropriation bills and resolutions are listed separately.

The index is divided into a subject index, a code sections affected list, a table of session laws affected, a table of session law to code, a chapter number to bill number and bill number to chapter number list, plus the effective date table, for easy reference. This index is used as a temporary index until the revised MCA index is available.

The Legislative Review is free to all subscribers to the Montana Code Annotated. Nonsubscribers are charged a nominal fee. Contact the Legislative Council for further information.

LEGISLATIVE REVIEW

53rd Legislature
January 4, 1993 to April 24, 1993

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Sample

SESSION LAWS

The complete text of each bill that has been passed by the Legislature and signed by the Governor is published in hard cover under the title: Laws of Montana (year). The set is popularly referred to as the "Session Laws". Staff of the Secretary of State's office assign each bill a chapter number chronologically, with Chapter 1 designating the first bill passed and signed.

All initiatives, referendums, and constitutional amendments passed by the voters during the interim also appear in the Session Laws.

Subscriptions to the Session Laws are available from the Legislative Council.

2325

MONTANA SESSION LAWS 1993

Ch. 583

CHAPTER NO. 583

[SB 87]

AN ACT PROVIDING SPECIFIC PROCEDURES FOR THE SPECIAL ELECTION ON SENATE BILL NO. 235; PROVIDING THAT THE PROVISIONS OF TITLE 13, CHAPTER 27, MCA, AND CERTAIN OTHER LAWS RELATING TO ELECTIONS DO NOT APPLY TO THE SPECIAL ELECTION; PROVIDING FOR THE PURCHASE OF PRINTING AND DISTRIBUTION SERVICES AND MATERIALS ASSOCIATED WITH THE PRINTING AND DISTRIBUTION OF A VOTER INFORMATION PAMPHLET AND BALLOTS FOR THE SPECIAL ELECTION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

Be it enacted by the Legislature of the State of Montana:

Section 1. Suspension of election laws — purpose — notice. (1) Due to the severity of Montana's fiscal problems and due to the need to deal with comprehensive tax reform as soon as possible, the legislature and the governor find that it is in the best interests of the citizens of the state of Montana to conduct a special election on the question of whether or not comprehensive tax reform, as represented by Senate Bill No. 235, should be adopted. The legislature and the governor also find that statutes covering ballot measures and the election on ballot measures, generally found in Title 13, chapter 27, are insufficient to accommodate the pressing need to dispose of the question of comprehensive tax reform. Consequently, procedures expediting the election, specified in [sections 1 through 19], are enacted to protect and further the interests of the electorate and Montana's citizens.

(2) For purposes of the special election to be held on Senate Bill No. 235:

(a) the provisions of 13-1-108, 13-2-301(1)(b), 13-12-201, 13-13-205, and Title 13, chapter 27, do not apply;

(b) notice of the special election must be published at least once a week for the 2 successive weeks before the election on radio or television as provided in 2-3-105 through 2-3-107 or in a newspaper of general circulation in the jurisdiction where the election will be held; and

Sample

MONTANA CODE ANNOTATED

The Montana Code Annotated is the systematic arrangement of all permanent state statutes (laws) currently in effect in Montana. The MCA is published in two parts: the code itself and the annotations to the code. A new edition of the code is printed every odd-numbered year, with new laws added, repealed laws deleted, and amended statutes updated. The Legislative Council legal staff is responsible for the codification process.

An entry in the MCA includes the statute, its legislative history, and any compiler's comments and cross-references to related code sections.

The second part of the MCA, the annotations, incorporates background materials relating to the statutes, including pertinent official comments, amendment summaries, case notes, references to administrative rules, digests of Attorney General's opinions, and citations to law review articles, bar publications, and legal encyclopedias. An explanation of each of these items is found in the preface to Volume I of the annotations.

The code and the annotations can be purchased from the Legislative Council. The MCA is available in hard copy and on compact disk. Certain titles are printed separately and can be purchased in pamphlet format.

The annotations are available in hard copy and on compact disk. Titles can be purchased individually in pamphlet format or as a complete set.

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JUSTIFIABLE USE OF FORCE

45-3-104

Cross-References

Justifiable use of force, Title 45, ch. 3.

Definition of "forcible felony", 45-2-101.

45-3-102. Use of force in defense of person. A person is justified in the use of force or threat to use force against another when and to the extent that he reasonably believes that such conduct is necessary to defend himself or another against such other's imminent use of unlawful force. However, he is justified in the use of force likely to cause death or serious bodily harm only if he reasonably believes that such force is necessary to prevent imminent death or serious bodily harm to himself or another or to prevent the commission of a forcible felony.

History: En. 94-3-102 by Sec. 1, Ch. 513, L. 1973; R.C.M. 1947, 94-3-102.

Cross-References

Definitions of "forcible felony" and of "force likely to cause death or serious bodily harm", 45-3-101.

45-3-103. Use of force in defense of occupied structure. A person is justified in the use of force or threat to use force against another when and to the extent that he reasonably believes that such conduct is necessary to prevent or terminate such other's unlawful entry into or attack upon an occupied structure. However, he is justified in the use of force likely to cause death or serious bodily harm only if:

(1) the entry is made or attempted in violent, riotous, or tumultuous manner and he reasonably believes that such force is necessary to prevent an assault upon or offer of personal violence to him or another then in the occupied structure; or

Sample

TITLE 72

ESTATES, TRUSTS, AND FIDUCIARY RELATIONSHIPS

Ch.

1. Uniform Probate Code — General Provisions.
2. UPC — Intestacy, Wills, and Donative Transfers.
3. UPC — Probate and Administration.
4. UPC — Foreign Personal Representatives and Ancillary Administration.
5. UPC — Persons Under Disability — Guardianship and Conservatorship.
6. Nonprobate Transfers on Death.
Chapters 7 and 8 reserved.
9. Disposition of Community Property Rights at Death.
10. Supplementary General Provisions on Probate and Succession. Repealed. Sec. 134, Ch. 494, L. 1993.
11. Intestate Succession and Wills — Supplementary Provisions.
12. Probate and Administration — Supplementary Provisions.
13. Persons Under Disability — Supplementary Provisions. Repealed. Sec. 134, Ch. 494, L. 1993.
14. Escheated Estates.
15. Public Administrator.
16. Inheritance and Estate Taxes.
17. Anatomical Gift Act.
Chapters 18 and 19 reserved.
20. Trusts in General. Repealed. Sec. 220, Ch. 685, L. 1989.
21. Trustees' Powers Act. Repealed. Sec. 220, Ch. 685, L. 1989.
22. Conveyance of Trust Property by Court Order. Repealed. Sec. 220, Ch. 685, L. 1989.
23. Trusts for Benefit of Third Persons. Repealed. Sec. 220, Ch. 685, L. 1989.
24. Trusts in Relation to Real Property. Repealed. Sec. 220, Ch. 685, L. 1989.
25. Revised Uniform Principal and Income Act. Repealed. Sec. 220, Ch. 685, L. 1989.
26. Uniform Transfers to Minors Act.
27. Miscellaneous Provisions Relating to Trusts. Repealed and Renumbered. Sec. 220, Ch. 685, L. 1989.
Chapters 28 and 29 reserved.
30. Management of Institutional Funds.
31. Miscellaneous Provisions Relating to Fiduciaries.
Chapter 32 reserved.
33. Trust Code — General Provisions.
34. Trust Administration.
35. Judicial Proceedings Concerning Trusts.
36. Rights of Third Persons.
37. Funeral Plan Trusts.

CHAPTER 1

UNIFORM PROBATE CODE GENERAL PROVISIONS

Part 1 — Short Title, Definitions, Construction, and General Provisions

- 72-1-101. Short title.
- 72-1-102. Repealed.
- 72-1-103. General definitions.
- 72-1-104. Supplementary general principles of law applicable.
- 72-1-105. Construction against implied repeal.
- 72-1-106. Uniform Probate Code to take precedence.
- 72-1-107. Effective date — applicability.

Sample

INTERIM DIRECTORY OF LEGISLATIVE COMMITTEES

The Interim Directory of Legislative Committees contains a summary of those joint resolutions requesting interim studies that were chosen for legislative study. Membership for each interim committee is given, along with the Legislative Council staff member assigned to the committee.

The directory also includes: (1) membership of the statutory committees receiving Legislative Council staff assistance; (2) membership of permanent legislative committees; (3) Montana's legislative representatives on the Council of State Governments and National Conference of State Legislatures committees; and (4) membership on other committees associated with the Legislature.

Copies are free and are available from the Legislative Council while supplies last.

Committee on Indian Affairs

Statutory Citation: Title 5, chapter 19, part 1, MCA

The 1989 Legislature authorized a statutory Committee on Indian Affairs to continue the work of six previous interim legislative committees. Armed with its new permanency, the Committee will continue the following duties: encourage participation of Indian people in Committee meetings; act as a liaison between the Indian people and the Legislature; encourage tribal-state and tribal-local government cooperation; and hold hearings to promote better understanding between the tribes and public agencies.

Chapter 636, Laws of 1993, increased the committee membership to eight.

Membership:

Sen. Delwyn Gage (R)
P.O. Box 787
Cut Bank, MT 59427
home: 873-2301
work: 873-2301

Sen. Ethel M. Harding (R)
P.O. Box 251
Polson, MT 59860
home: 883-2323
work: 675-4500

Sen. Barry "Spook" Stang (D)
142 Montana Hwy 135 S
St. Regis, MT 59866
home: 649-2724
work: 649-2414

Rep. Floyd "Bob" Gervais (D)
P.O. Box 1810
Browning, MT 59417
home: 338-5638

Rep. Jay Stovall (R)
8325 Pryor Rd
Billings, MT 59101
home: 259-9219
work: 259-9219

Rep. Rolph Tunby (R)
P.O. Box 56
Plevna, MT 59344
home: 772-5658
work: 772-5658

Sample

INTERIM STUDY FINAL REPORTS

The Legislative Council prepares and publishes all final reports of the interim committees. The reports contain a copy of the joint resolution requesting the study; committee membership and staff; actions, findings, and recommendations of the committee; and any proposed legislation to be brought before the Legislature.

A bibliography of all research reports is found in the Catalog of Interim Study Final Reports. Copies of final reports can be ordered from the Legislative Council. Copies are free while supplies last.

REFINING THE ROLE AND DOWNSIZING THE MONTANA STATE HOSPITAL AT WARM SPRINGS AND GALEN

A Report to the Governor and the 53rd Legislature

December 1992

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Sample

THE INTERIM

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SUBCOMMITTEE ON INSURANCE ISSUES

Subcommittee Holds Final Meeting...The Subcommittee on Insurance Issues held its final meeting of the interim on Friday, August 28. The Subcommittee heard a report from the Insurance Commissioner's Office and considered a number of bill drafts for possible introduction in the 1995 legislative session.

Insurance Commissioner Offers Legislation...Insurance Commissioner Mark O'Keefe presented legislation being considered by his office for the 1995 session. The major piece of legislation is an insurance fraud act intended to help eliminate some of the fraud being perpetrated against insurance companies and consumers, and to ensure that the market conduct of companies is fair and complies with Montana law. Other legislation being considered includes an insurance producer fair employment act, long-term care insurance reform, revisions to guaranty fund act, inclusion of maternity benefits in the coverage offered by the Montana Comprehensive Health Association, living trust regulation, expenditure authority to recover investigative costs and administrative penalties, and some general clean-up legislation.

Subcommittee Hears from Health Care Authority...Mike Craig of the Montana Health Care Authority reported that the Authority will defer to

Sample

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